



PCE, 2800

PTO/SB/30 (05-03)  
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## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/889,245/Am
Filing Date	10/10/2001
First Named Inventor	TRACY, et al
Art Unit	2855
Examiner Name	ALLEN, A.J.
Attorney Docket Number	29093-3

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s) iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 080719
- i. ☒ RCE fee required under 37 CFR 1.17(e) 09/17/2003 AMONDAF1 00000058 080719 09889245
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 375.00 DA
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	MICHAEL A. MANN	Registration No. (Attorney / Agent)	32,825
Signature		Date	09/12/2003


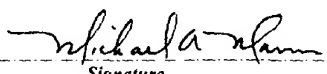
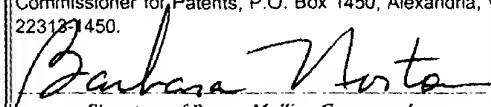
### CERTIFICATE OF MAILING OR TRANSMISSION


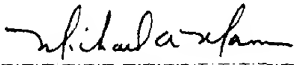
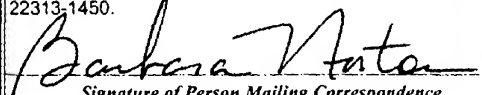
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	BARBARA NORTON	Date	09/12/2003
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

		<b>TRANSMITTAL LETTER</b> (General - Patent Pending)		Docket No. 29093-3	
In Re Application Of: TRACY, et al					
Serial No. 09/889,245		Filing Date 10/10/2001		Examiner ALLEN, A.J.	
				Group Art Unit 2855	
Title: HAND HELD PROBE FOR MEASURING TIRE TREAD WEAR					
<u>TO THE COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is:  <b>TRANSMITTAL LETTER AMENDMENT TRANSMITTAL LETTER; REQUEST FOR CONTINUED EXAMINATION TRANSMITTAL AMENDMENT CERTIFICATE OF FIRST CLASS MAIL POSTCARD</b>					
in the above identified application.					
<input type="checkbox"/> No additional fee is required.					
<input type="checkbox"/> A check in the amount of _____ is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 080719 as described below.					
<input type="checkbox"/> Charge the amount of _____					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional fee required.					
 Signature			Dated: 9/12/03		
MICHAEL A. MANN REG. NO.: 32,825 NEXSEN PRUET JACOBS & POLLARD, LLC PO DRAWER 2426 COLUMBIA, SC 29202-2426 (803) 253-8282 mmann@npj.com			<div style="border: 1px solid black; padding: 5px;"><p>I certify that this document and fee is being deposited on 9-12-2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22312-1450.</p> Signature of Person Mailing Correspondence  <b>BARBARA NORTON</b> Typed or Printed Name of Person Mailing Correspondence</div>		
CC:					

<b>AMENDMENT TRANSMITTAL LETTER (Small Entity)</b>			Docket No. <b>29093-3</b>		
Applicant(s): <b>TRACY, et al</b>					
Serial No. <b>09/889,245</b>	Filing Date <b>10/10/2001</b>	Examiner <b>ALLEN, A.J.</b>	Group Art Unit <b>2855</b>		
Invention: <b>HAND HELD PROBE FOR MEASURING TIRE TREAD WEAR</b>					
					
<u>TO THE COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application.					
<input checked="" type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted. <input type="checkbox"/> A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	20 -	20 =	0 x	\$9.00	\$0.00
INDEP. CLAIMS	3 -	3 =	0 x	\$42.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <b>080719</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
 Signature			Dated: <b>9/12/03</b>		
<b>MICHAEL A. MANN</b> <b>REG. NO.: 32,825</b> <b>NEXSEN PRUET JACOBS &amp; POLLARD, LLC</b> <b>PO DRAWER 2426</b> <b>COLUMBIA, SC 29202-2426</b> <b>(803) 253-8282</b> <b>mmann@npj.com</b>			<div style="border: 1px solid black; padding: 5px;">           I certify that this document and fee is being deposited on <b>9-12-2003</b> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.              Signature of Person Mailing Correspondence    <b>BARBARA NORTON</b>            Typed or Printed Name of Person Mailing Correspondence         </div>		
CC:					



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Tracy, et al	Atty's Docket:	29093-3
Serial No.:	09/889,245	Examiner:	Allen, A. J.
Filed:	10/10/2001	Group Art:	2855
For:	Hand Held Probe for Measuring Tire Tread Wear		

PRELIMINARY AMENDMENT

Honorable Commissioner of Patents and Trademarks  
Washington, DC 20231

Dear Sir:

The following is a preliminary amendment to accompany a request for continuing prosecution examination following receipt of a final office action dated 06/17/2003.

IN THE CLAIMS

Please amend the claims as shown on the attached set of claims in the case with the status of each claim shown and with the present amendments shown explicitly. Claims 1, 2, 7, 13 and 15 are amended, and claims 12 and 14 are cancelled. New claims 25-27 are added.